

**EXHIBIT 5**

**From:** <ded\_nefreply@ded.uscourts.gov>  
**To:** <ded\_ecf@ded.uscourts.gov>  
**Date:** 2/1/2006 2:23:18 PM  
**Subject:** Activity in Case 1:05-cv-00697-SLR Equal Employment Opportunity Commission v. BE&K Engineering Company "Notice to Take Deposition"

**WOODY ANGLADE - Activity in Case 1:05-cv-00697-SLR Equal Employment Opportunity Commission v. BE&K Engineering Company "Notice to Take Deposition"**

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**From:** <ded\_nefreply@ded.uscourts.gov>  
**To:** <ded\_ecf@ded.uscourts.gov>  
**Date:** 2/1/2006 2:23 PM  
**Subject:** Activity in Case 1:05-cv-00697-SLR Equal Employment Opportunity Commission v. BE&K Engineering Company "Notice to Take Deposition"

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**U.S. District Court**

**District of Delaware**

**Notice of Electronic Filing**

The following transaction was received from DiBianca, Margaret entered on 2/1/2006 at 2:22 PM EST and filed on 2/1/2006

**Case Name:** Equal Employment Opportunity Commission v. BE&K Engineering Company  
**Case Number:** 1:05-cv-697  
**Filer:** BE&K Engineering Company  
**Document Number:** 18

**Docket Text:**

NOTICE to Take Deposition of Juan Obed Perez on March 9, 2006, 9:00 a.m. by BE&K Engineering Company.(DiBianca, Margaret)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1079733196 [Date=2/1/2006] [FileNumber=162880-0]  
[bd04d1bc35e2f4074c5f11e5c067679bbc236cbcd0b72b9ca64ddf98fd7895216b4e7  
30011e809e1cf5d2f41279572212e9c27c87155afc19a570b74df4cad6c]]

**1:05-cv-697 Notice will be electronically mailed to:**

Woody Anglade woody.anglade@eeoc.gov

Rudolph Contreras rudolph.contreras@usdoj.gov, usade.ecf@usdoj.gov; marie.steel@usdoj.gov

Margaret M. DiBianca mdibianca@ycst.com, bagos@ycst.com; dcole@ycst.com; rugg@ycst.com

**1:05-cv-697 Notice will be delivered by other means to:**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT OPPORTUNITY)  
COMMISSION, )

)  
)  
Plaintiff, )

v. )

C.A. No. 1:05-cv-00697-SLR

)  
)  
BE&K ENGINEERING COMPANY )  
(SUBSIDIARY OF BE & K, INC.), )

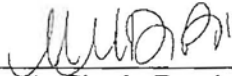
)  
)  
Defendants. )

RE-NOTICE OF DEPOSITION

TO: Woody Anglade  
Trial Attorney  
Equal Employment Opportunity Commission  
Philadelphia District Office  
21 South 5<sup>th</sup> Street, Suite 400  
Philadelphia, PA 19106

PLEASE TAKE NOTICE that the undersigned will take the oral deposition of Juan Obed Perez on **Thursday, March 9, 2006 at 9:00 a.m.**, and continuing thereafter from hour to hour and day to day until completion, in the law offices of Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 1000 West Street, 17th Floor, Wilmington, DE 19801.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

  
\_\_\_\_\_  
Teresa A. Cheek, Esquire (No. 2657)  
Margaret M. DiBianca, Esquire (No. 4539)  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, Delaware 19899-0391  
Telephone: (302) 571-5008  
Facsimile: (302) 576-3476  
Email: [tcheek@ycst.com](mailto:tcheek@ycst.com); [mdibianca@ycst.com](mailto:mdibianca@ycst.com)  
Attorneys for Defendant

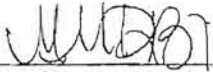
Dated: February 1, 2006  
cc: Wilcox & Fetzer

**CERTIFICATE OF SERVICE**

I hereby certify that on **February 1, 2006**, I electronically filed a true and correct copy of the foregoing **Re-Notice of Deposition** with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Woody Anglade  
Trial Attorney  
Equal Employment Opportunity Commission  
Philadelphia District Office  
21 South 5<sup>th</sup> Street, Suite 400  
Philadelphia, PA 19106

YOUNG CONAWAY STARGATT & TAYLOR, LLP

  
\_\_\_\_\_  
Teresa A. Cheek, Esquire (No. 2657)  
Margaret M. DiBianca, Esquire (No. 4539)  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, Delaware 19899-0391  
Telephone: (302) 571-5008  
Facsimile: (302) 576-3476  
Email: [tcheek@ycst.com](mailto:tcheek@ycst.com); [mdibianca@ycst.com](mailto:mdibianca@ycst.com)  
Attorneys for Defendant

Dated: February 1, 2006

**From:** <ded\_nefreply@ded.uscourts.gov>  
**To:** <ded\_ecf@ded.uscourts.gov>  
**Date:** 4/28/2006 4:08:41 PM  
**Subject:** Activity in Case 1:05-cv-00697-KAJ Equal Employment Opportunity Commission v. BE&K Engineering Company "Notice to Take Deposition"



**WOODY ANGLADE - Activity in Case 1:05-cv-00697-KAJ Equal Employment Opportunity Commission v. BE&K Engineering Company "Notice to Take Deposition"**

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**From:** <ded\_nefreply@ded.uscourts.gov>  
**To:** <ded\_ecf@ded.uscourts.gov>  
**Date:** 4/28/2006 4:08 PM  
**Subject:** Activity in Case 1:05-cv-00697-KAJ Equal Employment Opportunity Commission v. BE&K Engineering Company "Notice to Take Deposition"

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**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.**

**U.S. District Court**

**District of Delaware**

**Notice of Electronic Filing**

The following transaction was received from DiBianca, Margaret entered on 4/28/2006 at 4:07 PM EDT and filed on 4/28/2006

**Case Name:** Equal Employment Opportunity Commission v. BE&K Engineering Company  
**Case Number:** 1:05-cv-697  
**Filer:** BE&K Engineering Company  
**Document Number:** 33

**Docket Text:**

NOTICE to Take Deposition of Dan Dayton on Tuesday, May 9, 2006 at 9:00 a.m. by BE&K Engineering Company.(DiBianca, Margaret)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1079733196 [Date=4/28/2006] [FileNumber=206506-0]  
[1e55feade242ab6067dfed537269e0c5ec80226b23d636b7f18fa2527d5c70db6dc9  
2da0daae24659fac1b9da13850f1bbd4491e8b77c6605fa3003af75c37fa]]

**1:05-cv-697 Notice will be electronically mailed to:**

Woody Anglade woody.anglade@eeoc.gov

Margaret M. DiBianca mdibianca@ycst.com, bagos@ycst.com; dcole@ycst.com; rrugg@ycst.com

Douglas Edward McCann douglas.mccann@usdoj.gov, marie.steel@usdoj.gov; usade.ecf@usdoj.gov

1:05-cv-697 Notice will be delivered by other means to:



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT OPPORTUNITY)	)	
COMMISSION,	)	
	)	
Plaintiff,	)	
v.	)	C.A. No. 1:05-cv-00697-SLR
	)	
BE&K ENGINEERING COMPANY	)	
(SUBSIDIARY OF BE & K, INC.),	)	
	)	
Defendants.	)	

NOTICE OF DEPOSITION

TO: Woody Anglade  
Trial Attorney  
Equal Employment Opportunity Commission  
Philadelphia District Office  
21 South 5<sup>th</sup> Street, Suite 400  
Philadelphia, PA 19106

PLEASE TAKE NOTICE that the undersigned will take the oral deposition of Dan Dayton on **Tuesday, May 9, 2006 at 9:00 a.m.**, and continuing thereafter from hour to hour and day to day until completion, in the law offices of Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 1000 West Street, 17th Floor, Wilmington, DE 19801.

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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Teresa A. Check, Esquire (No. 2657)  
Margaret M. DiBianca, Esquire (No. 4539)  
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1000 West Street, 17th Floor  
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Wilmington, Delaware 19899-0391  
Telephone: (302) 571-5008  
Facsimile: (302) 576-3476  
Email: mdibianca@ycst.com  
Attorneys for Defendant

Dated: April 28, 2006  
cc: Wilcox & Fetzer

**CERTIFICATE OF SERVICE**

I hereby certify that on **April 28, 2006**, I electronically filed a true and correct copy of the foregoing **Notice of Deposition** with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Woody Anglade  
Trial Attorney  
Equal Employment Opportunity Commission  
Philadelphia District Office  
21 South 5<sup>th</sup> Street, Suite 400  
Philadelphia, PA 19106

YOUNG CONAWAY STARGATT & TAYLOR, LLP

  
\_\_\_\_\_  
Teresa A. Cheek, Esquire (No. 2657)  
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Attorneys for Defendant

Dated: April 28, 2006